

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROGER TATE,)	
)	CASE NO. 1:11cv2041
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	<u>MEMORANDUM OF OPINION AND</u>
		<u>ORDER</u> [Regarding ECF No. 20]

Before the Court is the Report and Recommendation of Magistrate Judge Greg White recommending the Court affirm the final decision of the Commissioner and enter judgment in favor of Defendant. [ECF No. 20](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. *Id.*; [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#). Absent objection, a district court may adopt a magistrate judge's report without review. *See Thomas, 474 U.S. at 149*.

In the instant case, Objections to the Report and Recommendation were due by October 3, 2012. Plaintiff has not filed an Objection. The Court finds that the Report and Recommendation is supported by the record, and agrees with the Magistrate Judge's recommendation.

(1:11cv2041)

Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation affirming the final decision of the Commissioner. [ECF No. 20](#).

IT IS SO ORDERED.

October 4, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge